

Expedited Bill No. 41-06  
Concerning: Consumer Protection-  
Internet Access  
Revised: \_\_\_\_\_ Draft No. \_\_\_\_  
Introduced: September 19, 2006  
Expires: March 19, 2008  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive

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**AN EXPEDITED ACT** to:

- (1) prohibit certain merchants from engaging in unfair trade practices with respect to the provision of internet access; and
- (2) generally amend the consumer protection law with respect to the provision of internet access.

By adding

Montgomery County Code  
Chapter 11, Consumer Protection  
Section 11-4A

**Boldface**

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

\* \* \*

*Heading or defined term.*

*Added to existing law by original bill.*

*Deleted from existing law by original bill.*

*Added by amendment.*

*Deleted from existing law or the bill by amendment.*

*Existing law unaffected by bill.*

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Chapter 11 is amended by adding Section 11-4A as follows:**

**11-4A. Unfair trade practices- Internet Access Service.**

(a) A merchant must not engage in unfair trade practices in the provision of internet access service using any facility in its control that is located in a County right-of-way.

(b) An unfair trade practice includes the refusal or failure of a merchant to:

(1) provide any internet access service for which a consumer has paid;

(2) properly install any facilities required to provide internet access service to a consumer; or

(3) promptly and effectively respond to a consumer complaint concerning internet access service.

(c) **Internet access service** means the provision of internet access to a consumer over facilities that are controlled by a merchant and that are located in a County right-of-way.

(d) The County Executive must issue regulations under Method (2) that establish minimum internet access service standards that a merchant must comply with.

**Sec. 2. Expedited Effective Date.** The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date when it becomes law.

22 *Approved:*

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George L. Leventhal, President, County Council	Date
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24 *Approved:*

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Douglas M. Duncan, County Executive	Date
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26 *This is a correct copy of Council action.*

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Linda M. Lauer, Clerk of the Council	Date
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